

### **REMARKS**

This is in full and timely response to the Office Action mailed on June 29, 2005.  
Reexamination in light of the following remarks is respectfully requested.

Claims 5, 9 and 12-18 are currently pending in this application, with claims 5, 9 and 12 being independent.

*No new matter has been added.*

### **Prematureness**

Applicant, seeking review of the *prematureness* of the final rejection within the Final Office action, respectfully requests reconsideration of the finality of the Office action for the reasons set forth hereinbelow. See M.P.E.P. §706.07(c).

### **Entry of amendment**

This amendment *prima facie* places the case in condition for allowance.  
Alternatively, it places this case in better condition for appeal.

Accordingly, entry of this amendment is respectfully requested.

### **Claim objections**

While not conceding the propriety of this objection and in order to advance the prosecution of the above-identified application, claim 11 has been canceled.

Withdrawal of this objection is respectfully requested.

**Rejections under 35 U.S.C. §103**

Paragraph 2 of the Office Action indicates a rejection of claims 2, and 10-11 under 35 U.S.C. §103 as allegedly being unpatentable over Japanese Patent Application Publication No. 11-191865 to Kazuto and U.S. Patent No. 6,187,522 to Majumdar et al. (Majumdar).

This rejection is traversed at least for the following reasons.

While not conceding the propriety of these rejections and in order to advance the prosecution of the above-identified application, claims 2, 10 and 11 have been canceled.

Withdrawal of this rejection is respectfully requested.

Paragraph 4 of the Office Action indicates a rejection of claims 5-9 under 35 U.S.C. §103 as allegedly being unpatentable over Kazuto in view of U.S. Patent No. 6,724,503 to Sako et al. (Sako).

This rejection is traversed at least for the following reasons.

While not conceding the propriety of these rejections and in order to advance the prosecution of the above-identified application, claims 6-8 has been canceled.

No amendment has been made to claims 5 and 9. Since claims 5 and 9 have been examined on the merits within the Final Office Action, a new search and/or consideration is not believed to be required.

Sako has a §371 (c)(1), (2), (4) date of February 22, 2000. However, the above-identified application is entitled to the benefit of the filing date for Japanese Patent Application No. 11-249473 having a filing date of September 3, 1999, and is entitled to the benefit of the filing date for Japanese Patent Application No. 11-308312 having a filing date of October 29, 1999. Both filing dates for the Japanese Patent Applications are earlier than the §371 (c)(1), (2), (4) date of Sako.

Accordingly, Sako is believed to be unavailable as prior art and that the rejection of the claims using this reference should be withdrawn as a result. See M.P.E.P. §706.02(f)(1)(C)(3)(a) and M.P.E.P. §706.02(f)(1)(example 9).

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Paragraph 5 of the Office Action indicates a rejection of claim 4 under 35 U.S.C. §103 as allegedly being unpatentable over Kazuto, Majumdar, and in further view of Sako.

This rejection is traversed at least for the following reasons.

While not conceding the propriety of these rejections and in order to advance the prosecution of the above-identified application, claim 4 has been canceled.

Withdrawal of this rejection is respectfully requested.

#### **Newly added claims**

Claims 13-16 are dependent upon claim 12. Claim 12 is drawn to an optical system having an optical module, the optical module comprising:

a substrate, the substrate including a plate of a first material adhered to a wiring board of a material other than the first material, a through-hole extending through the plate and the wiring board;

an optical element mounted to the wiring board, the optical element including a light receiving portion, the wiring board being between the optical element and the plate;  
and

a lens unit mounted to the plate, the lens unit including a lens, the plate being between the wiring board and the lens unit,

wherein the light receiving portion and the lens are disposed along an optical axis, the optical axis extending through the through-hole.

Kazuto, Majumdar, and Sako, either individually or as a whole, fail to disclose, teach or suggest a substrate that includes a plate of a first material adhered to a wiring board of a material other than the first material.

Allowance of the claims is respectfully requested.

### **Conclusion**

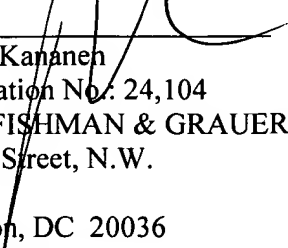
For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of the amendments and remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: February 28, 2006

Respectfully submitted,

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